IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)
Akira ISHIBASHI et al.	) Group Art Unit: 3744
Application No.: 10/573,992	) Examiner: Tho V. Duong
Filed: March 30, 2006	) Confirmation No.: 1804
For: INDOOR UNIT OF AIR CONDITIONER	)

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the November 25, 2009 Office Action, the Examiner identified three distinct species. The Examiner required Applicants to elect a single disclosed species for prosecution on the merits.

Pursuant to the Examiner's requirement, Applicants elect Species C corresponding to Figures 12-14, with traverse. Currently, claims 1-2, 4-10 and 12-13 read on the elected species. Claims 1, 2, 8 and 9 are generic to all species. Applicant reserves the right to file divisional applications with regard to any non-elected species.

Applicants respectfully traverse the election of species requirement because the PTO has not carried forward its burden of proof to establish that searching and examining each of the noted sets of claims would be an undue burden.

In particular, MPEP §803 states:

> that if the search and examination of an entire application can
> be made without serious burden, the Examiner must examine
> on the merits, even though it includes claims to distinct or
> independent inventions.

Accordingly, Applicants respectfully traverse the outstanding election of species requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner.

In the event the Examiner has questions or does not agree with the above comments, Applicants respectfully request the Examiner to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: December 24, 2009

By: _____

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